

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP

Charles K. Verhoeven (Bar No. 170151)

2 charlesverhoeven@quinnemanuel.com

David A. Perlson (Bar No. 209502)

3 davidperlson@quinnemanuel.com

Melissa Baily (Bar No. 237649)

4 melissabaily@quinnemanuel.com

John Neukom (Bar No. 275887)

5 johnneukom@quinnemanuel.com

Jordan Jaffe (Bar No. 254886)

6 jordanjaffe@quinnemanuel.com

50 California Street, 22nd Floor

7 San Francisco, California 94111-4788

Telephone: (415) 875-6600

8 Facsimile: (415) 875-6700

9 Attorneys for WAYMO LLC

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

Plaintiff,

13 vs.

UBER TECHNOLOGIES, INC.;

14 OTTOMOTTO LLC; OTTO TRUCKING

LLC,

15 Defendants.

CASE NO. 3:17-cv-00939

**DECLARATION OF DAVID A. PERLSON
IN SUPPORT OF PLAINTIFF WAYMO
LLC'S BRIEF IN RESPONSE TO
COURT'S QUESTIONS FOLLOWING
APRIL 27, 2017 HEARING ON
DEFENDANTS' MOTION TO COMPEL
ARBITRATION OF, AND TO STAY,
TRADE SECRET AND UCL CLAIMS**

1 I, David A. Perlson, hereby declares as follows.

2 1. I am a member of the bar of the State of California and partner with Quinn
3 Emanuel Urquhart & Sullivan, LLP, counsel for Plaintiff Waymo LLC (“Waymo”). I make this
4 declaration of personal, firsthand knowledge, and if called and sworn as a witness, I could and
5 would testify competently to the matters set forth herein. I make this declaration in support of
6 Waymo’s Brief In Response To The Court’s Questions Following The April 27 Hearing On
7 Defendants’ Motion To Compel Arbitration Of, And To Stay, Waymo’s Trade Secret And UCL
8 Claims.

9 2. Attached hereto as Exhibit 1 is an email thread between my firm and Ms. Cynthia
10 Victory at JAMS related to Waymo’s Objection to JAMS Jurisdiction, in which Waymo submitted
11 its jurisdictional objection on April 14, Ms. Victory responded on April 21 requesting an update
12 following a ruling on Uber’s Motion to Compel Arbitration.

13 3. Attached hereto as Exhibit 2 is a Notice To All Parties from Ms. Cynthia Victory at
14 JAMS providing a list of available arbitrators for the Uber initiated arbitration proceedings and
15 requesting that the parties either agree to an arbitrator or provide a “strike” list and ranking of
16 candidates by April 21.

17 4. As shown in Exhibit 1, my partner John Neukom responded on April 21 to Ms.
18 Victory’s April 14 letter requesting Waymo’s arbitrator rankings and “strike” list in light of Ms.
19 Victory’s April 21 email correspondence. To date JAMS has not requested anything further in
20 relation to the arbitrator rankings or “strike” list.

21
22 I declare under penalty of perjury under the laws of the State of California that the
23 foregoing is true and correct.

24 DATED: May 1, 2017

/s/ David A. Perlson
David A. Perlson

SIGNATURE ATTESTATION

Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the filing of this document has been obtained from David A. Perlson.

/s/ Charles K. Verhoeven
Charles K. Verhoeven